

**MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
REGIONAL COUNCIL MEETING**

March 26, 2008
MAG Office, Saguaro Room
Phoenix, Arizona

MEMBERS ATTENDING

Mayor James M. Cavanaugh, Goodyear, Chair	Mayor Thomas Schoaf, Litchfield Park
* Mayor Mary Manross, Scottsdale, Vice Chair	Supervisor Max W. Wilson, Maricopa Co.
# Councilmember Robin Barker, Apache Junction	Mayor Keno Hawker, Mesa
# Mayor Marie Lopez Rogers, Avondale	Mayor Ed Winkler, Paradise Valley
+ Councilmember Elaine May for	# Mayor Bob Barrett, Peoria
Mayor Bobby Bryant, Buckeye	Vice Mayor Peggy Neely, Phoenix
* Mayor Wayne Fulcher, Carefree	# Mayor Art Sanders, Queen Creek
* Councilmember Dick Esser, Cave Creek	* President Diane Enos, Salt River
Mayor Boyd Dunn, Chandler	Pima-Maricopa Indian Community
Mayor Fred Waterman, El Mirage	Mayor Lyn Truitt, Surprise
* President Clinton Pattea, Fort McDowell	Mayor Hugh Hallman, Tempe
Yavapai Nation	* Mayor Adolfo Gamez, Tolleson
* Mayor Wally Nichols, Fountain Hills	* Mayor Ron Badowski, Wickenburg
# Mayor Fred Hull, Gila Bend	Mayor Michael LeVault, Youngtown
* Governor William Rhodes, Gila River Indian	Felipe Zubia, State Transportation Board
Community	* Vacant, State Transportation Board
Mayor Steven Berman, Gilbert	* David Martin, Citizens Transportation
* Mayor Elaine Scruggs, Glendale	Oversight Committee
Mayor Rebecca Jimenez, Guadalupe	

* Those members neither present nor represented by proxy.
Attended by telephone conference call.
+ Attended by videoconference call.

1. **Call to Order**

The meeting of the MAG Regional Council was called to order by Chair James M. Cavanaugh at 5:08 p.m.

2. **Pledge of Allegiance**

The Pledge of Allegiance was recited.

Chair Cavanaugh noted that Councilmember Robin Barker, Mayor Bob Barrett, Mayor Fred Hull, Mayor Lopez Rogers, and Mayor Art Sanders were participating by teleconference, and Councilmember Elaine May, as proxy for Mayor Bobby Bryant, was participating by videoconference.

Chair Cavanaugh stated that Mayor Jimenez from Guadalupe had brought a special guest to the meeting. Mayor Jimenez introduced Michelle Smythe, a photojournalism student from the Walter Cronkite School of Journalism at Arizona State University. Ms. Smythe is writing an article on Mayor Jimenez.

Chair Cavanaugh noted materials at each place: A revised agenda and a memorandum for agenda item #5B, and an updated bill summary chart for agenda item #7. Transit tickets and parking validation were available to meeting attendees.

3. Call to the Audience

Chair Cavanaugh noted that public comment cards were available to members of the audience who wish to speak on items not scheduled on the agenda that fall under the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Citizens are requested not to exceed a three minute time period for their comments. A total of 15 minutes is provided for the Call to the Audience agenda item, unless the Regional Council requests an exception to this limit. Those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard. Chair Cavanaugh noted that no public comment cards had been turned in.

4. Executive Director's Report

Dennis Smith, MAG Executive Director, provided a report to the Regional Council on activities of general interest.

Mr. Smith noted that the Housing and Regional Transportation Human Services Coordination Conference is scheduled to be held at the Desert Willow Conference Center on April 8, 2008. He stated that the purpose of the conference is to discuss best practices to better coordinate housing and transportation. Mr. Smith stated that the cost is \$35 and scholarships are available. He said that registrations are due March 31, 2008, and so far, more than 200 people have registered.

Mr. Smith stated that MAG will host a Socioeconomic Modeling Working Group meeting February 28 through March 1, 2008. He noted that representatives from eight Councils of Governments and Metropolitan Planning Organizations nationwide will review the current state-of-the-art in socioeconomic modeling. Mr. Smith noted that MAG's work, in conjunction with the University of Washington, is considered a best practice.

Mr. Smith stated that the Regional Council Executive Committee recommended that MAG participate in the River of Trade Corridor Coalition (ROTCC) as a one year pilot program. He noted that this involves hosting an ROTCC meeting. Mr. Smith reported that the meeting, along with a half day Arizona Transportation Summit, is being planned for May 29-30, 2008, at the Wigwam Resort, and all MAG member agencies will be invited to this event. He stated that Arizona issues and public/private

partnerships will be topics at the Summit. Chair Cavanaugh encouraged attendance at these events. Chair Cavanaugh thanked Mr. Smith for his report. No questions from the Council were noted.

5. Approval of Consent Agenda

Chair Cavanaugh noted that agenda items #5A through #5F were on the consent agenda. He noted that no public comment cards had been received. Chair Cavanaugh asked members if they had questions or requests to hear an item individually. None were noted.

Chair Cavanaugh called for a motion to approve consent agenda items #5A, #5B, #5C, #5D, #5E, and #5F. Mayor Hallman moved, Mayor Hawker seconded, and the motion passed unanimously.

5A. Approval of the February 27, 2008 Meeting Minutes

The Regional Council, by consent, approved the February 27, 2008 meeting minutes.

5B. Request to Accelerate the Union Hills/Loop 101 Traffic Interchange Widening

The Regional Council, by consent, approved the proposed acceleration of the Union Hills Traffic Interchange widening project contingent on MAG entering into the IGA with ADOT and the City of Peoria, and an amendment to the FY 2008 - FY 2012 Transportation Improvement Program and conformity determination. The City of Peoria is interested in accelerating the widening of the Union Hills Traffic Interchange (TI) bridge at the Loop 101 which is currently scheduled for construction by the Arizona Department of Transportation (ADOT) in FY 2012. An arterial street project to construct a Beardsley Road Connector with the Loop 101 is scheduled for construction in the fall of 2008. Given the proximity of the Beardsley Road Connector project to the Union Hills TI significant cost and convenience benefits accrue if both projects are constructed at the same time. ADOT concurs with the request to accelerate the Union Hills TI widening project. To facilitate the advancement of the Union Hills TI, Peoria has requested a HELP loan of \$9.91 million to finance the acceleration. The ADOT Life Cycle Freeway Program has this project programmed for \$18 million so substantial cost savings are expected. Peoria has requested that the interest expense be shared in accordance with the MAG Highway Acceleration Policy. The Management Committee recommended approval.

5C. Section 5310 Elderly and Individuals with Disabilities Transportation Program Applications

The Regional Council, by consent, approved forwarding the priority listing of applicants for FTA Elderly and Persons with Disabilities Transportation Program to the Arizona Department of Transportation. On February 29, 2008, the MAG FTA Elderly and Persons with Disabilities Transportation Program Ad Hoc Committee developed a priority listing for the applications received for Federal Transit Administration (FTA) Section 5310 funding. FTA provides these funds to the Arizona Department of Transportation (ADOT) for capital assistance to agencies and public bodies that provide transportation services for people who are elderly and for people who have a disability. This year, 20 applications were submitted for capital assistance awards. Forty-five van requests, two radio requests, one software request, and three mobility manager requests were received and considered by the Committee. The Management Committee recommended forwarding the priority listing to ADOT.

5D. Status Update on the June 30, 2007 Single Audit and Management Letter Comments, MAG's Comprehensive Annual Financial Report (CAFR) and OMB Circular A-133 Reports (i.e., "Single Audit") for the Fiscal Year Ended June 30, 2007

The Regional Council, by consent, accepted the MAG Comprehensive Annual Financial Report and Single Audit Report for the year ended June 30, 2007. The accounting firm of Cronstrom, Osuch and Company, PC has completed the audit of MAG's Comprehensive Annual Financial Report (CAFR) and Single Audit for the fiscal year ended June 30, 2007. An unqualified audit opinion was issued on January 12, 2008 on the financial statements of governmental activities, the aggregate discretely presented component units, each major fund and the aggregate remaining fund information. The independent auditors' report on compliance with the requirements applicable to major federal award programs, expressed an unqualified opinion on the Single Audit. The Single Audit report indicated there were no reportable conditions in MAG's internal control over financial reporting considered to be material weaknesses, no instances of noncompliance considered to be material and no questioned costs. The Single Audit report had no new or repeat findings. Two Management Letter comments were issued for the fiscal year ended June 30, 2007 and these are described with the management resolution by MAG in the attached memorandum. The CAFR financial statements and related footnotes were prepared in accordance with the Government Finance Officers Association's (GFOA) standards for the Certificate of Achievement for Excellence in Financial Reporting awards program. Management intends to submit the June 30, 2007 CAFR to the GFOA awards program for review. If awarded the certificate for the June 30, 2007 CAFR, this would be the agency's tenth consecutive award. The MAG Management Committee recommended acceptance.

5E. Development of the FY 2009 MAG Unified Planning Work Program and Annual Budget

Each year staff develops the MAG Unified Planning Work Program and Annual Budget. The Work Program is reviewed in April by the federal agencies and approved by the Regional Council in May. The proposed budget information is being presented incrementally in parallel with the development of the budget information. This presentation and review of the FY 2009 MAG Unified Planning Work Program and Annual Budget represent the budget document development to-date. Due to current economic conditions, MAG is proposing no increase in estimated dues and assessments. The individual member dues and assessments may change due to population allocation, but the overall dues and assessments total of \$606,550 remains the same amount as FY 2008. Each year new projects are proposed for inclusion in the MAG planning efforts. These new project proposals come from the various MAG technical committees, policy committees and other discussions with members and stakeholders regarding joint efforts within the region. These projects are subject to review and input by the committees as they go through the budget process. The proposed new projects for FY 2009 were provided for the February 13 Management Committee meeting and the February 27 Regional Council meeting. Since the new projects for FY 2009 were presented in February, there have been three changes to the project list. An Air Quality Associate for \$80,000 has been deleted and two transportation projects have been added to the proposed list. A transportation project entitled, "MAG Travel Demand Modeling - Pinal County Review," has been added for \$80,000. The MAG Travel Demand model extends far into Pinal County and the travel demand in Maricopa County also reflects the population and economic activity in Pinal County. As input, the model uses socioeconomic projections and the road network in Pinal County. Using the planning resources and data that have been collected by CAAG,

CAAG will provide the review and changes necessary to accurately portray the projections and transportation network in Pinal County. In addition, a transportation project titled, "Safety Evaluation of the MAG Elderly Mobility Sign Project On-Call," budgeted for \$50,000 has been added to new project requests. The MAG Transportation Safety Committee and the MAG Elderly Mobility Stakeholders Group initiated a Sign Project in FY 2008 in which sixteen jurisdictions are installing street name signs with larger font sizes, advanced street name signs, and internal illumination signs based on the FHWA Guidelines and Recommendations to Accommodate Older Drivers and Pedestrians. One component of this sign installation program is a safety evaluation element which will be addressed by this project. An updated proposed project list is included in the "MAG Programs in Brief" to reflect the proposed project changes. The FY 2009 budgeted expenses for MAG show an overall decrease of about 2.1 percent from last year. This decrease is, in part, due to a decrease in the budgeted amounts for overhead and a 50 percent reduction in proposed capital expenditures. The reason for the large capital decrease is that a majority of MAG's capital equipment inventory is computer hardware which is on a replacement cycle of approximately every three years. MAG staff has an annual performance evaluation in June and based on performance, salary increases that average up to five percent may be awarded. There are no new staff positions being requested for FY 2009 and FTE at MAG remains at 75.25. This item was on the agenda for information.

5F. MAG 208 Water Quality Management Plan Amendment for the City of Goodyear Sonoran Valley Planning Area

The Regional Council, by consent, approved the MAG 208 Water Quality Management Plan Amendment for the City of Goodyear Sonoran Valley Planning Area. The City of Goodyear has requested that MAG amend the 208 Water Quality Management Plan to include four water reclamation facilities (WRFs) for the Sonoran Valley Planning Area. The ultimate capacities for the State Land WRF and Southern Region WRF would be 4.75 million gallons per day (mgd) and 24 mgd, respectively. The Section 23 WRF and Section 28 WRF would each have an ultimate capacity limited to 0.6 mgd. Reclaimed water from the four facilities would be disposed of through reuse, recharge, and Arizona Pollutant Discharge Elimination System Permit discharge points to the Waterman Wash. The project is located within three miles of the City of Avondale, Town of Buckeye, City of Maricopa, the Gila River Indian Community, and unincorporated Maricopa and Pinal Counties. To date, five of the six entities have indicated no objections. The public hearing on the draft amendment was conducted on February 13, 2008. The MAG Water Quality Advisory Committee and the MAG Management Committee recommended approval of the Draft 208 Plan Amendment.

6. Regional Office Center Update

Mr. Smith reviewed the latest actions taken on the Regional Office Center (ROC) project. On December 19, 2007, the Regional Council, Valley Metro Rail (METRO), and the Regional Public Transportation Authority (RPTA) Boards approved a Memorandum of Cooperation with each agency providing \$330,000 for shared costs. These costs included approximately \$38,000 monthly payments on the land through August 2008, legal bond counsel and construction manager costs to date, and the Ryan Companies' indemnification for approximately \$525,000. Mr. Smith noted that the MAG Regional Council also accepted the Design Build Rankings from the Title 34 procurement process.

Mr. Smith stated that since the December Regional Council meeting, MAG has received the documents from the Ryan Companies and delivered them to McCarthy. He said that McCarthy offered to do a level of confidence estimate for the building at their cost. At the February 19, 2008, Regional Council Executive Committee meeting, the Committee heard a report from McCarthy that a value engineering process is needed to remain within the building budget.

Mr. Smith stated that the Valley Metro Board requested that they would like the partners to share in the potential downside if they could not sublet their existing office space once it was vacated. He stated that the Executive Committee noted that this was not a part of the Memorandum of Cooperation and it would be the responsibility of Valley Metro Rail.

Mr. Smith stated that on February 19, 2008, the Executive Committee recommended the Amended and Restated Memorandum of Cooperation (MOC), and authorized the MAG Executive Director to enter into a preconstruction services contract with McCarthy Building Companies contingent upon approval of the Amended and Restated MOC by the other agency boards without further changes. He noted that the Executive Committee also recommended approval of MAG increasing the amount of the maximum shared cost by \$220,000, bringing the total to \$550,000. He said that \$500,000 of this funding, to be equally shared by the agencies, would provide for a preconstruction services contract with McCarthy to receive a guaranteed maximum price (GMP) for the project.

Mr. Smith stated that on February 20, 2008, the Valley Metro Board voted unanimously to approve the Amended and Restated Memorandum of Cooperation increasing the maximum of shared equal costs among the agencies from \$330,000 to \$550,000 each, and authorized entering into a preconstruction services contract with McCarthy Building Companies, with the request that MAG and the RPTA assist Valley Metro Rail in assuming possible liability in their current lease upon locating in the Regional Office Center.

Mr. Smith stated that on February 21, 2008, by a vote of 7-6, the RPTA Board approved the Amended and Restated Memorandum of Cooperation increasing their share of costs from \$330,000 to \$550,000, and authorized entering into a preconstruction services contract with McCarthy to exceed \$500,000. Mr. Smith noted that there were several questions on the building, and MAG was requested to return to the RPTA Board on March 20 to provide information.

Mr. Smith reported that at the March 17, 2008, Regional Council Executive Committee meeting, the Committee discussed the status of the Regional Office Center project and the actions of the Valley Metro Rail Board and the RPTA Board that had transpired since the February Executive Committee meeting. He stated that the Executive Committee recommended the following: 1) Terminate the terms of the Memorandum of Cooperation (MOC) for the Regional Office Center with the RPTA and METRO based on METRO's action to not accept the Amended and Restated MOC without further changes, and 2) Direct MAG staff to inform McCarthy Building Companies that negotiations regarding the Regional Office Center are suspended until further notice from MAG. The Committee also directed MAG staff to explore other options for MAG office space and present that information at a future meeting.

Mr. Smith expressed his appreciation to the Executive Committee, who considered the Regional Office Center at 14 meetings, to the Regional Council, who voted eight times on various aspects of the project,

and to the Regional Office Center partners. He also thanked Mayor Hawker who believed in the merits of this project and led the Building Lease Working Group.

Mr. Smith stated that this project is at a crossroads; the building project was started in January 2005. He stated that the action before the Regional Council acknowledges that as this project is about ready to be launched, there is a renegotiation request by one agency and a narrow vote by another agency. Mr. Smith stated that the LLC is formed, the credit report is ready to receive a market indicators report, McCarthy is ready to proceed on the project, option payments have been made on the land, the GPLET terms have been negotiated with the City of Phoenix, the attorneys from the partnering agencies have discussed the form of lease, and the Industrial Development Authority is ready to go forward.

Mr. Smith stated that the major premise of the project was that it was important for three regional transportation agencies to locate in the same building to further improve efficiency and communication and to have shared meeting space that is convenient for the member agencies and at the end of financing the project to own the building.

Mr. Smith shared some of the criticisms heard on the building: It is not necessary for the agencies to be together; the proposed building is not large enough if all of the local transit agencies consolidate in the future; the project is too costly; the economy is down and now is not the right time to move forward on this project; this is a MAG project and agencies want to do their own building; the project is in the wrong location; this is a bad business deal for MAG; the project has gone on too long.

Mr. Smith stated that MAG is a regional planning organization and a Council of Governments, and cannot be continually planning a building. He stated that MAG needs to move forward on a project that will happen.

Mayor Hawker stated he supported the premise of sharing expenses, personnel, and payroll, etc., and a consolidated location made some sense. He commented that if a government has a 20-year mission and they know they have funding, it makes more sense to build equity rather than leasing. In anticipating additional needs, doing so would leave an asset that could always be sold. Mayor Hawker stated that addressing long term needs, as opposed to leasing makes sense and avoids the disruption and expense caused by moving. He commented that sharing facilities was a positive. Mayor Hawker remarked that it is possible to find lease space at a lower cost, for example, the City of Mesa has a closed Wal Mart on the light rail line, but he was not sure that is the quality location desired for employees or the location representative of a regional building. Mayor Hawker stated that he liked the concept of owning a building and not continuing to lease. He commented that in retrospect, if this process could be redone, MAG would not be the lead agency and all four boards would sit at the table. Mayor Hawker suggested that the Regional Council consider convening a group meeting, including AMWUA, to jointly discuss the project and make a final decision whether or not to continue. We keep hearing the boards are making decisions, but he was not sure the action is representative of the feeling of the city behind the representative. Mayor Hawker stated that he may be on the AMWUA and RPTA boards, but he represents the City of Mesa and he wants to see holistically if this is a good idea, and vote not from the perspective of the representative of just one agency.

Mayor Hawker moved that the Regional Council convene an agency meeting with the boards of MAG, RPTA, Valley Metro Rail, and AMWUA, to jointly discuss the Regional Office Center project and make a final decision on whether to convene or continue to regionally cooperate on a joint use building. Vice Mayor Neely seconded.

Mayor Hallman expressed his appreciation for the passion and extraordinary amount of work by Mayor Hawker and Mr. Smith to create the opportunity for agencies to work synergistically. He said that he had a different obligation to each organization because there are different interests involved. Mayor Hallman suggested having communication at the political and staff leadership levels to fully understand the issues before terminating the project. He agreed with not dragging out the issue interminably. Mayor Hallman said that generations from now, there will probably be a single transportation group and this should not be treated as separate pieces. Mayor Hallman stated that he wholeheartedly supported Mayor Hawker's idea of having a conversation of policy makers and senior staff. He indicated he would be glad to work on this alongside Mayor Hawker.

Chair Cavanaugh asked Mayor Hawker if he was suggesting representatives or the entire boards meet. Mayor Hawker replied that there could be difficulties in the time required to appoint members to subcommittees; with a 7-6 vote at RPTA, it could take them a few meetings to decide who to send. Mayor Hawker commented that his idea was to convene an historic meeting with the boards, legal representatives, and Executive Directors to make a decision on whether to proceed with the Regional Office Center.

Mayor Hallman commented that having all board members in attendance could be more unworkable, but he would be willing to explore any road recommended by Mayor Hawker. He stated that he did not think who the representatives are was as important as starting the discussion to identify the issues that caused six RPTA representatives to say no and see if those issues can be overcome. Mayor Hallman commented that even if Valley Metro Rail went forward with the project, would it be desirable to move forward with an organization that is split and down the road changed its mind which makes the project more difficult to finish. Mayor Hallman stated that he would like to know those issues in detail. A working group could do that and report back to the four agencies within 30 days. He stated that at that time, the bodies could decide to move forward or not.

Vice Mayor Neely noted that she could foresee as many issues with a subcommittee as an entire board. She commented that having heard from different parties how the votes went, she realized that some groups' questions have still not been answered. Vice Mayor Neely suggested that each board have its own meeting with full discussion. She said she was not sure they will be able to arrive at a decision, but at least they could have a full dialogue. Vice Mayor Neely stated that a lot of problems resulted from messengers coming back and forth. Without a full group discussion, she thought that issues might not be resolved because messages are not delivered in the manner they should be. Vice Mayor Neely expressed that she thought dialogue, presentations and concerns are what are needed on the table.

Mayor Berman stated that he would like MAG to locate a building to fit all needs, then give each agency a price for their portion, and they could agree to be a partner or not.

Mr. Smith stated that staff could do the preplanning for a joint meeting and send information to all three boards. If there is an opportunity to talk this through and frame the issues, the boards will know what they have to discuss.

Mayor Dunn indicated that he thought the four agencies need to decide for themselves how they want to be represented. The key is whoever has the passion on the issue should be there. Mayor Dunn noted his amazement at how Mr. Smith has worked through all of these issues. He stated that he has been a decision maker on all four boards at one time or another, and put the hat on for that agency even though he was also representing MAG. Mayor Dunn stated that he did not support AMWUA's involvement. He commented that he tries to be true to each individual agency while supporting what MAG has been trying to do. Mayor Dunn said he supported Mayor Hawker's effort because of extensive experience in this process and supported all of the agencies coming together one more time. Mayor Dunn mentioned that the League of Arizona Cities and Towns is also experiencing the same thing, but not on this magnitude.

Mayor Schoaf stated that as a member of the Executive Committee, he watched Mayor Hawker and Mr. Smith put in a lot of hard work on this project and they need to be congratulated. He pointed out that for the last year, the Executive Committee has been split on whether the Regional Office Center should go forward at all. Mayor Schoaf stated that a lot of the issues revolve around the cost and the basic transaction. He commented that he was in an unusual position because he represented only MAG, and was not on the other agencies' boards. Mayor Schoaf expressed that he has consistently been opposed to the building because it has much more space than MAG currently has, the cost per square foot has increased tremendously, and MAG pays the entire cost for the 42,000 square-foot conference center. Mayor Schoaf stated that MAG has been the lead agency and when decisions were made, they were to the detriment of MAG. He indicated that he opposed the current concept of the building. He added that the idea of building a building and having partners is a good idea, but it should be a fair partnership and each agency should carry its own weight. Mayor Schoaf stated that splitting the risk among the agencies might be negotiated, but the basic deal would be all entities owning the building with its percentage based on space, even common areas, so MAG does not need to carry all the weight.

Mayor Hallman commented that Mayor Schoaf made a point that would be helpful to discuss at the policy level. He added that as Mayor Dunn suggested, each agency could decide how it would be represented, but have those most passionate come together to outline the issues. Mayor Hallman commented that Valley Metro Rail has handled the process differently than MAG, and many of these conversations at the policy level have not taken place. He added that he has a proxy at AMWUA and at RPTA, and which one or all three should represent Tempe on the four agencies? Mayor Hallman urged getting all of the issues on the table. He stated that he suspected that MAG provided the conference center to allow the opportunity of having such a facility to the other agencies. Mayor Hallman stated that Valley Metro Rail has less of a need for conference space, but might need it in the future; however, its board never discussed if this should be considered in offsetting some of the lease risk. Mayor Hallman expressed that he was willing to go in the direction desired by Mayor Hawker, but suggested that the motion might be amended to first establish a subgroup to outline the issues, which would then be in a position to go forward with a larger meeting.

Chair Cavanaugh asked Mayor Schoaf if he disagreed with bringing the group together. Mayor Schoaf replied that he disagreed with the basic question of building a \$90 million building within the terms negotiated thus far. He commented that too much money was being spent and in a way not fair to MAG.

Mayor Hawker stated that the working group could outline a potential agenda to determine the items for discussion by the four agencies. He indicated that he thought it is a two-step process. Mayor Hawker said that the motion says that all boards would be invited to the larger meeting, but an interim step is needed to get to the issues that will be discussed at the larger meeting. Vice Mayor Neely, as second, stated that she would accept that amendment.

Mayor Hawker commented on the difficulties that could be encountered if agencies need a few meetings to decide who will represent them at the subgroup meeting.

Mayor Hallman indicated his willingness to serve if Mayor Hawker would serve as facilitator of MAG.

Mayor Schoaf stated that the Regional Office Center has been discussed many times at MAG and he would be surprised if the MAG issues were unknown. He indicated that the issues might be written down and circulated, but he was not sure another meeting was needed, since the Executive Committee vetted this project extensively and discussed the pros and cons. Mayor Schoaf commented that this might not be the case with the other agencies and they might need to compile their issues.

Mr. Smith noted that some of the issues are already known. The RPTA board, after the 7-6 vote, came up with a list of questions to consider at their next meeting, and Valley Metro Rail has requested that MAG and RPTA assume some of the risk. Mr. Smith stated that the meeting could determine if there are any other issues that could be dealt with.

Chair Cavanaugh stated that it sounded like a working group of representatives from the four agencies would convene, no quorum required, in an open meeting. He stated that he did not see a need to bring together the entire councils.

Mayor Hallman stated that if the working group could reach an agreement, a full meeting might not be necessary. Mayor Hallman noted to Mayor Schoaf that his idea was to join Mayor Hawker to see if there were any hidden agendas that might be resolved. Mayor Hallman commented that he and Mayor Hawker represented 40 percent of the Valley Metro Rail board; in addition, Mayor Dunn sits on the four boards. From those agency perspectives the issues causing this project to stall can be uncovered, then resolved, and get a different outcome than the one over the past three years. Mayor Hallman stated that his goal was to accomplish this in 30 days, and he felt a meeting would be worthwhile. He stated that Mayor Schoaf's concern of economic viability from the MAG perspective is an important one to address. He added that he was hearing other viewpoints more clearly tonight than he had heard in the past.

Chair Cavanaugh stated that the motion on the table says that MAG will convene a four-agency working group to jointly discuss the Regional Office Center project and make a final recommendation to a joint meeting of all four boards. He noted that any MAG member agency would be eligible to be on the

working group. Chair Cavanaugh noted that there were no questions from the Council. He called a vote on the motion, which passed, with Mayor Lopez Rogers voting no.

7. Legislative Update

Nathan Pryor provided an update on legislative issues of interest. He stated that the Energy and Independence and Security Act, which was approved in December 2007, established a minimum 80 percent federal share for CMAQ funds. Mr. Pryor stated that MAG has been working with the Congressional delegation on this. He noted that the House Transportation and Infrastructure Committee has identified an administrative fix. Mr. Pryor added that Congress is in recess right now, and he will continue to update the Council as information is received.

Mr. Pryor stated that House Bill (HB) 2092 failed on March 17th. The bill said that state or county transportation projects that are submitted for voter approval would be broken down by mode and voted on separately instead of as a comprehensive plan.

Mr. Pryor stated that House Concurrent Resolution 2016 would require ADOT to make recommendations to the Governor and Legislature for the implementation of a statewide transportation plan using the results from Building a Quality Arizona. He noted there is some ambiguity in the language that staff is reviewing.

Mr. Pryor stated that HB 2381, which is the bill that increases the percentage paid out of the Emergency Telecommunications Services Fund for administrative costs from three percent to five percent, has passed the House and has moved to the Senate.

8. Comments from the Council

An opportunity will be provided for Regional Council members to present a brief summary of current events. The Regional Council is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

Supervisor Wilson stated that the Board of Supervisors met that morning for about two to three hours on PM-10 issues. He reported that the Board voted unanimously to revise the rules and he thought they would be coming to MAG as soon as possible. Supervisor Wilson noted that some people were unhappy with the action and requested there be a delay, but it needed to be done because the region does not want to lose federal funds. Supervisor Wilson state that a federal representative addressed the Board and advised that there was not enough time to accommodate delay.

There being no further business, the Regional Council meeting adjourned at 6:05 p.m.

Chair

Secretary